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C O N F I D E N T I A L KHARTOUM 001059

SIPDIS

DEPARTMENT FOR A/S FRAZER, S/E WILLIAMSON, AND AF/SPG
NSC FOR PITTMAN AND HUDSON
ADDIS ABABA FOR USAU

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TAGS: [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [UN](#) [AU](#) [SU](#)

SUBJECT: KIIR URGES BASHIR NOT TO OVERREACT FOLLOWING
ANNOUNCEMENT OF INDICTMENT

Classified By: CDA Alberto M. Fernandez, for reasons 1.4 (b) and (d)

¶1. (C) Summary: First Vice President Kiir and others have urged President Bashir to react calmly to the announcement of ICC indictments July 14, in hopes that the CPA and peace efforts in Darfur remain on track. Kiir is concerned at the prospect of a weakened GNU Presidency and notes that extremists inside and outside the regime are eager to see a strong reaction from Bashir that will sideline western interests and engagement, however Kiir notes that the South is now in a delicate position and needs stability to survive. The UN gathered P-5 ambassadors to exchange information and discuss UN preparations for worst case scenarios. Meanwhile despite the looming indictments, the Presidency invited the diplomatic corps and political parties to a signing ceremony for the national election law the evening of July 14. End summary.

KIIR URGES CAUTION

¶2. (C) In an emergency GNU cabinet session the night of July 13, First VP Salva Kiir told President Bashir and his ministers "don't jump the gun" following the announcement of indictments July 14, Kiir told CDA Fernandez in a meeting the morning of July 14. Kiir said he counseled the president that an overreaction against the West would be dangerous, and urged him not to take precipitous actions against the UN or other western missions. Kiir said the meeting went well, but that there are extremists in the regime who are advising the President to take strong action against the West. Kiir expressed concern that the GNU Presidency will cease to function if the President and Second Vice President are indicted, and CDA agreed that it would be complicated - the First VP would be the only one from the Presidency able to travel. Kiir advised CDA that the US should keep its distance from the ICC and not make any statements, since some in the regime already believes that the US is behind the indictments. "They think America is involved in this, so some in the regime have advised stopping counter-terrorism cooperation with the US," said Kiir. Kiir also cautioned that there are extremists (not necessarily in the regime) who believe the janjaweed should be unleashed in Darfur and that terrorist elements should be allowed to resume their activities in Sudan. Kiir added that he would have "preferred that Al-Bashir himself was not indicted" but admitted that it was too late to prevent that from happening.

¶3. (C) Kiir noted that the South is in a very delicate position, with the CPA at risk if Bashir takes precipitous action. He urged that the US should "give a message to the ICC that this will not solve anything." There are two serious concerns if the CPA unravels, according to Kiir. First, the GOSS does not have a strategic reserve of cash,

unlike the north. He thought the South would only be able to operate effectively for a few months if oil revenue transfers stop. Second, the South is not in a position to defend itself against the military superiority of the North, especially with regard to air assets. Kiir noted that the North can easily bomb Juba from air fields in Medani or Kosti and also possesses effective long range artillery. Repeating earlier requests, Kiir urged the US to consider assisting the GOSS with air defense capability. He also emphasized the need for the international community, especially the US, to leave "some way out for the regime," describing it as a cornered cat who will frenziedly hurt itself and others trying to escape from a locked room.

UN GATHERS P-5 AMBASSADORS

¶4. (C) In anticipation of the announcement of the indictments, the morning of July 14 UN DPKO A/SYG Jane Holl-Lute and D/SRSG Ameerah Haq gathered a meeting of P-5 Ambassadors at UNMIS headquarters. Holl-Lute and Haq said MFA U/S Muttriff Siddiq had promised them that Sudan would live up to its responsibility to protect UN personnel and to allow UNAMID and UNMIS to fulfill their mandates. Although Siddiq acknowledged that the UN missions are separate from the ICC, he nonetheless urged the UN to inform the ICC that the timing of the indictments "is terrible for the prospects

for peace in Sudan." Siddiq also had noted that the indictments will only embolden the rebel movements and warned the UN to "keep its distance" from embracing the ICC announcement too warmly. The P-3 Ambassadors acknowledged that they had received a similar message and warning from the government.

¶5. (C) Holl-Lute said the UN is ready to defend its compound but that she didn't expect it would be necessary. However Holl-Lute expressed concern that there had been an ominous text message sent out on the Mobitel network in Arabic July 14 stating that UN vehicles should be a target. She noted that UNAMID is at level IV for security and that non-essential staff have been evacuated. Haq noted that UNMIS had also made an appeal to the MFA that pending exit visas for NGO partners be expedited (as usual there is currently a backlog) in case there is a need to evacuate humanitarian workers. Holl-Lute and Haq requested that the P-5 Ambassadors remain in close contact with UNMIS and share information to the extent possible.

PRESIDENCY TO HOLD ELECTIONS LAW SIGNING CEREMONY

¶6. (U) In the midst of the anticipation in advance of the indictments as well as speculation that the regime will react badly, the Presidency gave the impression that business as usual continues in Khartoum, inviting the diplomatic corps to the signing ceremony for the national elections law at Friendship Hall the evening of July 14 - at which President Kiir and First VP Kiir will be present. Kiir asked CDA Fernandez to "make sure you are there."

¶7. (U) Khartoum remained quiet the morning of July 14 with only one peaceful demonstration in front of the UNDP office.
COMMENT

¶8. (C) Despite the many doomsday scenarios, we anticipate that the regime will eventually react with a combination of tough actions, harsh rhetoric and some pragmatic engagement. Many have speculated that several western chiefs of mission will be PNG'd, UNAMID deployment frozen and that there will be large protests July 14 and 15. The signing ceremony for the elections law on the same day as the indictments is perhaps a positive sign that the regime intends to tantalize the international community with signs of what would be possible if only the West didn't bully Sudan with ICC indictments (in the eyes of the regime). The enemies of the regime are celebrating at the prospects of the indictments,

while cooler heads such as Salva Kiir recognize that for Sudan to hold together, continued engagement and progress on CPA and in Darfur is required.

FERNANDEZ